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Examiner: NGUYEN, John Quoc
Art Unit: 3654

FROM: Kurt L. Ehresman Direct Dial: (717) 237-5458

TOTAL NUMBER OF PAGES, INCLUDING THIS COVER LETTER: 5

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Response Under 37 C.F.R. 1.111 (2 pages)**

Attorney Docket No.: 21480-0001-U1
Application No.: 10/774,795
Filed: February 9, 2004

FAX NUMBER: (717) 237-5300

PARA EGA RESPONSIBLE: Kimberly A. Newell **TELEPHONE:** (717) 237-5239

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PTO/SB/21 (02-04)

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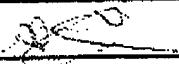
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Application Number	10/774,795
Filing Date	February 9, 2004
First Named Inventor	Sylvan YODER
Art Unit	3654
Examiner Name	NGUYEN, John Quoc
Total Number of Pages in This Submission	5
Attorney Docket Number	21480-0001-U1

ENCLOSURES (check all that apply)

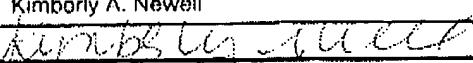
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<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
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Form or Individual name	McNees Wallace & Nurick LLC Kurt L. Ehresman, Attorney Reg. No. 50,758
Signature	
Date	October 24, 2005

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Application No.: 10/774,795
Attorney Docket No.: 21480-0001-U1

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Applicant of : Sylvan YODER) Group Art Unit: 3654
Application No.: 10/774,795)
Filed: February 9, 2004) Examiner: NGUYEN, John Quoc
For: FENCE ROLLING APPARATUS AND METHODS) Atty. Docket No. 21480-0001-U1

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE UNDER 37 C.F.R. 1.111

Sir:

Applicant responds to the Office Action of October 3, 2005, which sets forth a restriction requirement. The statement of the restriction places the invention of Figs. 1-10 into species Group I and the invention of Figs. 11-14 into species Group II. Applicant hereby elects to prosecute the species of Group II, without traverse.

The Examiner has set forth the restriction by asserting that Figures 1-10 and Figures 11-14 are "patentably distinct species." As noted by the Examiner, independent claims 1 and 19 are generic, as is independent claim 23. All claims depend from those generic independent claims. All of claims 1-11 and 13-25 are directed to the elected species illustrated in Figures 11-14. Applicant submits that the only claim that is not directed to the elected invention is claim 12, directed to the horizontal embodiment of Figures 1-9. By way of further clarification, Figure 10 is directed to a generic fence roll that is compatible with both species.

Applicant submits that because the independent claims are generic, all claims should now be examined in the same application, pursuant to the various applicable statutes, regulations, and MPEP sections. Applicant asks that the Examiner initially

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- 2 -

examine claims 1-11 and 13-25, and withdraw the restriction requirement upon allowance of any of the generic claims.

Respectfully submitted,

Dated: October 24, 2005

McNees Wallace & Nurick LLC



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PTO/SB/97 (06-03)

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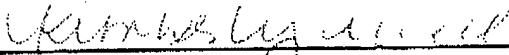
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Attorney Docket No.: 21480-0001-U1

Application No.: 10/774,795

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